STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS D E P A R T M E N T O F H E A L T H

Safe and Healthy Lives in Safe and Healthy Communities

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To: Certified Asbestos Project Designers, Inspectors and Management Planners, Asbestos Abatement Contractors, Asbestos Training Providers, LEAs, Competent Persons

From: Alfred J. Cabral, Supervising Industrial Hygienist, Indoor Air Quality Program

Subject: <u>Regulatory Interpretation Regarding Intact Removal of Non-Friable Asbestos Containing</u> Materials

In response to numerous inquiries regarding the intact removal of non-friable asbestos containing materials from regulated facilities, the Rhode Island Department of Health's Asbestos Program is issuing this regulatory interpretation.

The following activities do not constitute asbestos abatement as defined in Rhode Island Rules and Regulations for Asbestos Control [R23-24.5-ASB], and therefore such activities are not subject to the above reference regulations. This interpretation is provided based upon the following understandings:

- 1. The asbestos-containing material is undamaged and non-friable and remains undamaged and non-friable during the removal or collection of the material. (See Note #1)
- 2. The asbestos-containing material is removed intact and without breakage or other disturbance, which may release asbestos fibers. The material is removed without the creation of any visible residue.
- 3. The asbestos-containing material is not subjected to sanding, cutting, grinding, or abrading during the removal or collection process.
- 4. The asbestos-containing material does not become Regulated Asbestos Containing Material (RACM) as defined in the Rhode Island Rules and Regulations for Asbestos Control [R23-24.5-ASB] and the asbestos National Emissions Standards for Hazardous Air Pollutants [40 CFR Part 61, Subpart M].

Note #1 In the case of floor tile that is "slightly broken", a case-by-case assessment must be made to determine whether the removal of the tile constitutes asbestos abatement. The Rhode Island Department of Health's Asbestos Control Program must be contacted directly when such activities are contemplated.

List of Activities that do not constitute asbestos abatement:

- Removal of transite panels by unbolting or unscrewing and removing of the panels intact;
- Removal of transite laboratory-type desktops and splash guards by unbolting or unscrewing and removing the desktop intact, or removal of the entire desk unassembled;
- Removal of transite type chalkboards by unbolting or unscrewing and removing the chalkboard intact
- Removal of countertops, backsplashes, etc., with linoleum, adhesive glues, or similar materials by removing the entire unit intact;
- Removal of sinks with pan sealant (anti-sweating material) by removing the sinks intact;

- Removal of window sashes with window glazing (interior and exterior) by removing the window stops and removing the entire window sash units intact;
- Picking up loose floor tiles that have become completely disassociated with the floor and are either whole or are slightly broken, but are still not considered to be Regulated Asbestos-Containing Material (RACM) (See item #1 and note #1 above);
- Removal of fire doors containing insulation from their hinges, intact for complete component disposal;
- Removal of electrical fixtures and components that contain wire jacketing or transite sheeting, intact for complete component disposal;
- Picking up loose miscellaneous non-friable items such as rolls of linoleum, loose gaskets, loose roofing and siding shingles, etc.;

All asbestos containing waste generated as the result of these activities must be disposed of as asbestos waste at an authorized waste disposal facility.

This interpretation relates only to asbestos abatement as defined in Rhode Island Rules and Regulations for Asbestos Control [R23-24.5-ASB]. All other applicable federal, state or local regulations apply.

For public and private non-profit schools that are subject 40CFR763, Asbestos Hazard Emergency Response Act (AHERA), you must maintain documentation with respect to any of the above activities conducted in order to demonstrate that asbestos containing materials were removed appropriately.

Questions regarding this interpretation should be directed to the RI Department of Health's Asbestos Control Program at (401) 222-3601.